

Amendment No. 2 to HB3040

Coleman  
Signature of Sponsor

**AMEND Senate Bill No. 2890\***

**House Bill No. 3040**

By deleting subsections (d) and (e) of Section 38-3-124 of the amendatory language of SECTION 1 and substituting instead the following:

(d) If during the course of the officer's duties in the detection and prevention of crime, such officer arrests a person for the commission of a criminal offense, the officer may issue and serve a subpoena at the scene of such arrest if:

(1) The person arrested for the offense is still present;

(2) The officer determines at the scene of the arrest that the testimony of a witness to the offense is necessary in the prosecution of the person arrested;  
and

(3) The officer:

(A) Completes the subpoena prior to service; and

(B) Ensures that the date of attendance listed on the subpoena is reasonably likely to be the arrested person's court date.

(e) An officer issuing a subpoena pursuant to this section shall ensure that the subpoena is returned to the court as required by law within three (3) days of service.